

UNITED STATES DISTRICT COURT
Southern District of Indiana
Office of the Clerk

Room 105
U.S. Courthouse
Indianapolis, Indiana 46204

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November 14, 2003

N O T I C E

TO: THE PUBLIC AND MEMBERS OF THE PRACTICING BAR FOR THE
SOUTHERN DISTRICT OF INDIANA

Pursuant to 28 U.S.C. § 2071(e) and Rule 83 of the *Federal Rules of Civil Procedure*, the United States District Court for the Southern District of Indiana hereby gives public notice of the following:

Certain Local Rules of the United States District Court for the Southern District of Indiana are amended **effective January 1, 2004**. The text of those Rules follows. Unless otherwise indicated, as seen in this Notice **redline** text is added and **struck** text is deleted.

A. The first paragraph of Local Rule 5.6 - Scope of Electronic Filing - is amended as follows:

~~The Court will designate which cases will be assigned to the Electronic Filing System.~~ All petitions, motions, memoranda of law, ~~or~~ **and** other pleadings and documents ~~required to be~~ filed with the Court in connection with a **civil** case **initiated on or after July 1, 2002**, ~~assigned to the Electronic Filing System must~~ **may** be electronically filed, except as expressly provided **otherwise by the Local Rules of the Court, Court order, or under** ~~and in~~ exceptional circumstances which would prevent a Filing User from filing electronically.

B. The last paragraph of Local Rule 7.1(b) - Motion Practice; Length, Form, and Schedule of Briefs; Attorneys' Conference; Notification of Settlement/Resolution of Pending Motions - is amended as follows:

Ordinarily, copies of cited authorities **should** ~~need~~ not be appended to court filings. However, a party citing a decision, statute, or regulation that

is not available on Westlaw or Lexis/Nexis shall **attach a copy to the document filed with the Court.** ~~furnish a copy to the Court and other parties.~~ **In addition, if a party cites a decision, statute, or regulation that is only available through electronic means (e.g. Lexis/Nexis, Westlaw or from the issuing court's website), upon request that party shall furnish a copy to the Court and other parties.** ~~A party citing a decision, statute or regulation not published in the United States Reports, the Supreme Court Reporter, the Federal Reporters, the Federal Supplements, the Federal Rules Decisions, the Bankruptcy Reporter, the United States Patents Quarterly, the North Eastern Reporters, or a statute or regulation not found in the current publication of the United States Code, the Code of Federal Regulations, the Indiana Code, or the Indiana Administrative Code, must provide a copy of such materials to the Court and any other party upon request. With respect to decisions of the Supreme Court of the United States not yet available in the United States Reports, citation should be made both to the Supreme Court Reporter and to the Lawyers' Edition.~~

C. Local Rule 83.8 - Reference of Cases to Bankruptcy Judges - is adopted:

Local Rule 83.8 - Reference of Cases to Bankruptcy Judges

Pursuant to 28 U.S.C. § 157(a), all cases and all proceedings arising under Title 11 of the United States Code, or arising in or related to a case under Title 11 of the United States Code, are referred to the Bankruptcy Judges of this District. All papers filed in any such case or proceeding, including the original petition, shall be filed with the Clerk of the Bankruptcy Court and shall be captioned "United States Bankruptcy Court for the Southern District of Indiana. "

Note: Adopted effective January 1, 2004. Comment: adoption of this Rule does not affect the application of 28 U.S.C. § 157(d) which permits the District Court to withdraw the reference of cases to the Bankruptcy Court under appropriate circumstances.

Comments concerning the rule amendments are welcome. Comments must be submitted in writing on or before **December 15, 2003**, and should be sent to:

Local Rule Comments
Office of the Clerk
105 U.S. Courthouse
46 East Ohio Street
Indianapolis, IN 46204